

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 09-40

Introduced by Council President Boniface at the request of the County Executive

Legislative Day No. 09-32 Date November 10, 2009

AN ACT to add new Section 16-11.1, Mechanical Board, and new Section 16-11.2, Mechanical maintenance on county property, to Article I, Department of Inspections, Licenses and Permits, of Chapter 16, Departments, of the Harford County Code, as amended; to provide for the creation of a Mechanical Board; to establish the membership, term, powers and duties of the Board; to impose certain requirements on the Board; to provide requirements for county employees who maintain mechanical services on county property; and generally relating to the powers and duties of the Mechanical Board.

By the Council, November 10, 2009

Introduced, read first time, ordered posted and public hearing scheduled

on: December 8, 2009

at: 7:00 pm

By Order: Barbara J. O'Connor, Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on December 8, 2009, and concluded on December 8, 2009.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that new Section 16-11.1, Mechanical Board, and new Section 16-11.2, Mechanical maintenance on county property, be, and they are hereby, added to Article I, Department of Inspections, Licenses and Permits, of Chapter 16, Departments, of the Harford County Code, as amended, all to read as follows:

**Chapter 16. Departments**

**Article I. Department of Inspections, Licenses and Permits**

**§ 16-11.1. MECHANICAL BOARD.**

**A. COMPOSITION; QUALIFICATIONS; TERMS.**

(1) THE MECHANICAL BOARD OF THE COUNTY SHALL CONSIST OF 5 INDUSTRY MEMBERS AND 1 EX-OFFICIO MEMBER FROM THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS TO SERVE AS A BOARD LIAISON.

(2) THE BOARD MEMBERS SHALL BE APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY THE COUNTY COUNCIL IN ACCORDANCE WITH THE CHARTER.

(3) INDUSTRY BOARD MEMBERS SHALL EITHER BE CURRENTLY LICENSED AS A MASTER OR MASTER RESTRICTED CONTRACTOR WITH THE STATE OF MARYLAND BOARD OF HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION CONTRACTORS OR A MECHANICAL ENGINEER LICENSED WITH THE STATE OF MARYLAND BOARD OF PROFESSIONAL ENGINEERS.

(4) INDUSTRY BOARD MEMBERS SHALL BE RESIDENTS OF THE COUNTY AND, IF APPLICABLE, SHALL HAVE THEIR PRINCIPAL PLACE OF BUSINESS LOCATED WITHIN THE COUNTY.

(5) THE MEMBERS OF THE BOARD SHALL BE APPOINTED FOR TERMS COTERMINOUS WITH THOSE OF THE COUNTY EXECUTIVE AND COUNTY COUNCIL, AND ANY MEMBER MAY SUCCEED HIMSELF IN OFFICE.

(6) AT THE EXPIRATION OF A MEMBER'S TERM OR IF A VACANCY OCCURS DURING A TERM, THE COUNTY EXECUTIVE SHALL APPOINT A MEMBER WITH CONFIRMATION BY THE COUNTY COUNCIL IN ACCORDANCE WITH THE CHARTER.

B. DUTIES. THE DUTIES OF THE BOARD SHALL BE TO EXAMINE APPLICANTS FOR A COUNTY MASTER AND JOURNEYMAN REGISTRATION AS DEFINED BY THE COUNTY MECHANICAL CODE, ESTABLISH MINIMUM REQUIREMENTS FOR AN INDIVIDUAL TO BE QUALIFIED TO OBTAIN A HOMEOWNER'S PERMIT AND ADOPT REASONABLE RULES AND REGULATIONS FOR THE CONDUCT OF THEIR DUTIES, TO HOLD HEARINGS ON CHARGES OF MISCONDUCT OF ANY OF THE REGISTRATION HOLDERS AND TO RECOMMEND REVOCATION OF REGISTRATION IF THE CHARGES ARE OF SUFFICIENT GRAVITY AS TO WARRANT REVOCATION AFTER A PROPER HEARING, WHEREIN THE DEFENDANT MAY BE REPRESENTED BY COUNSEL OF HIS OWN CHOICE.

C. ELECTION OF CHAIRPERSON; RULES AND REGULATIONS. THE MEMBERS OF SUCH BOARD SHALL RESPECTIVELY TAKE AND SUBSCRIBE THE OATH REQUIRED BY OTHER STATE OFFICERS. THEY SHALL HAVE POWER TO ELECT FROM AMONG THEIR OWN NUMBER A CHAIRPERSON AND VICE CHAIRPERSON AND TO ADOPT SUCH RULES, REGULATIONS AND BYLAWS FOR THE TRANSACTION OF THE BUSINESS OF THE BOARD AS THEY MAY DEEM EXPEDIENT AND PROPER. ANY RULES, REGULATIONS AND BYLAWS

ADOPTED BY THE BOARD SHALL BE SUBJECT TO THE APPROVAL OF THE  
DIRECTOR OF INSPECTIONS, LICENSES AND PERMITS AND SHALL BE ADOPTED  
OR CHANGED IN ACCORDANCE WITH SECTION 807 OF THE CHARTER.

D. COMPENSATION OF MEMBERS. EACH MEMBER OF SUCH BOARD SHALL  
RECEIVE COMPENSATION FOR REASONABLE AND NECESSARY EXPENSES AS  
MAY BE PROVIDED FOR IN THE BUDGET OF THE DEPARTMENT OF  
INSPECTIONS, LICENSES AND PERMITS. THE BOARD SHALL FILE ANNUALLY  
WITH THE DIRECTOR OF INSPECTIONS, LICENSES AND PERMITS A REPORT OF  
ITS ACTIVITIES FOR THE PRECEDING YEAR AND THE NUMBER OF MEETINGS  
HELD BY THE BOARD.

E. MEETINGS. THE BOARD SHALL MEET AT LEAST ONCE EACH QUARTER AND  
SHALL HOLD SUCH SPECIAL MEETINGS AS THE PROPER AND EFFICIENT  
DISCHARGE OF ITS BUSINESS SHALL REQUIRE.


**§ 16-11.2. MECHANICAL MAINTENANCE ON COUNTY PROPERTY.**

ANY COUNTY EMPLOYEE MAINTAINING MECHANICAL SERVICES REGULATED BY  
THE MECHANICAL CODE ON COUNTY PROPERTY SHALL HAVE AT A MINIMUM A  
JOURNEYMAN'S CERTIFICATE.

Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date  
it becomes law.

EFFECTIVE: February 8, 2010

*The Council Administrator does hereby certify that  
fifteen (15) copies of this Bill are immediately available for  
distribution to the public and the press.*

  
\_\_\_\_\_  
Council Administrator

HARFORD COUNTY BILL NO. 09-40

Brief Title Mechanical Board

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Barbara J. O'Connor  
Council Administrator

Date December 8, 2009

**ENROLLED**

Billy Bonifant  
Council President

Date December 8, 2009

**BY THE COUNCIL**

Read the third time.

Passed: LSD 09-35

Failed of Passage: \_\_\_\_\_

By Order

Barbara J. O'Connor  
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 9<sup>th</sup> day of December, 2009 at 3:00 p.m.

Barbara J. O'Connor  
Council Administrator

**BY THE EXECUTIVE**

David R. Craig  
COUNTY EXECUTIVE

APPROVED: Date December 10, 2009

**BY THE COUNCIL**



This Bill No. 09-40 having been approved by the Executive and returned to the Council, becomes law on December 10, 2009.

EFFECTIVE DATE: February 8, 2010

Barbara J. O'Connor  
Barbara J. O'Connor,  
Council Administrator